

CROKER COMES BACK FOR TRIAL.

Fire Chief Cuts Short Vacation to Be at the Hearing of Ryan Charges.

REALLY AIMED AT HIM.

Ten Specifications in Which It Is Alleged City Paid for Repairs on Chief's Private Vehicles.

The poorly disguised feud between Commissioner Sturges, of the Fire Department, and Chief Croker was re-opened today when the Chief unexpectedly appeared at the hearing of Patrick P. Ryan, Chief of Construction and Repairs to Apparatus, who is accused of neglect of duty. The hearing was held at Fire Headquarters.

Chief Croker has been on a vacation at Good Ground, L. I., and was not expected in New York until next week. The hearing of Ryan was called in his absence. As he is practically accused of complicity in the alleged misdoings of Ryan, he hurried to headquarters to defend himself.

The appearance of the Chief in the trial room caused a sensation. He brushed in and took a prominent seat, nodding cordially to the Commissioner. Well-informed politicians say that the Ryan hearing is a step in the plan of Commissioner Sturges to get the nephew of Richard Croker out of the department, and that the fight will prove to be a most interesting series of occurrences.

Ten Specifications.
The ten specifications in the complaint against Chief Ryan of having accepted inferior material for use in the department's repair shops, and charged that by so doing he conspired to defraud the department, inasmuch as his requisition called for first class material, that he paid exorbitant prices for material; that he allowed the city's workmen to make repairs to a blue runabout, red runabout, speedway, steam, victoria and hansom, belonging to Fire Chief Croker and former Commissioner Scannell; that he made false entries in the books of his department; that he allowed employees to work overtime without justification; that he failed to get proper receipts for materials taken from the department shops, and that he allowed fire hose to be used by private persons in the Polo Grounds.

Though Chief Ryan has been under suspension for the last three months, he appeared at the hearing in the full form of his rank. With him appeared Delos McCurdy, a lawyer, No. 66 Broadway, who announced himself as the Chief's counsel, Arthur Cosby, of the Corporation Counsel's office, was present as advisory counsel to Commissioner Sturges. Assistant Secretary of the Fire Department Shields read the ten specifications of the charges, Chief Ryan standing during the reading. At the conclusion of each specification Commissioner Sturges asked Chief Ryan if he was "guilty or not guilty." To all the Chief answered: "Not guilty."

John M. Allen was the first witness called. He is the chief examiner of accounts for the Commissioner and testified as to examinations made of the books of Chief Ryan's department.

Pages Missing from Records.
Mr. Allen told in detail of what he had learned from the accounts of the Fire Department. He said that there were twenty-one pages missing from one of the account books in the Repair Department, but from other books he had learned that the missing items concerned repairs and purchases that had been made for former Chief Hugh Bonner.

Chief Croker talked to an Evening World reporter after the adjournment for luncheon. He admitted that repairs had been made on his account in the department shops.

"But all the repairs that were made," he said, "were on rigs used by me in the service of the department. My automobile was in the repair shop, as well as the wagon I drive to fires. The wagon is in the shop now, being painted and overhauled during my vacation. The brougham that Commissioner Sturges drives around in was repaired by the department by former Commissioner Scannell, and I wouldn't be surprised to learn that it had been repaired at the department shops."

When the afternoon session resumed this afternoon James Dixon, an employee of the Brewster Carriage Company, and an expert in the repair of carriages, testified that the woods he saw in the repair shop of the Fire Department were not first class.

DENY CONSPIRACY OF THE ROYALISTS.
PARIS, Aug. 15.—The semi-official announcement, made after yesterday's Cabinet meeting, that the Royalists are directing the agitation against the closing of religious schools in Brittany has evoked much comment.

Catholic leaders and the Catholic press deny that the movement is anti-Republican. Count Albert de Mun, who with Abbe Gayraud, is the guiding spirit of the resistance in Finistere, declares that the movement is entirely spontaneous on the part of the people themselves.

Francis Combes, Minister of Education, expressed a similar opinion in more violent and picturesque language. The Patrie says it is rumored that the Government intended to arrest the Royalist Senator from Finistere, M. de Chamarand.

Ministerial organs assert that the Government possesses curious information as to the manner in which the Breton peasants were deluded into a belief that they could successfully resist the republic.

GAMBLING ALL OVER CITY.
Commissioner Partridge Admits It Exists Throughout New York.

When Commissioner Partridge was asked this morning about the gambling at Coney Island, he said he would not discuss the matter, but he supposed there was gambling in all parts of the city.

NORTHERN PACIFIC STOCK BOUGHT FOR PLAINTIFF IN MERGER SUIT.

(Continued from First Page.)

Telegraph Company, was called to the stand. He was subpoenaed to produce certain telegrams from Aug. 1 to Aug. 5, addressed to Peter Power at West Hurley, N. Y.

Lawyer Lamb objected strongly to the introduction of the subject matter of the telegrams and the matter was finally left to the ruling of Judge Lancaster.

Bouden For Thomas.
To the surprise of the spectators, the name of Banker Camille Weldenfeld was called. He took the stand, for the purpose, mainly, as it developed, to make certain corrections in his testimony given the other day. He said that he did sell the N. P. stock to Mrs. Sofia B. Chapman, for which she paid at the rate of 189-1-2. Her husband borrowed the money from Content with which to purchase the stock, but not on the guarantee of the witness.

In his previous testimony, Mr. Weldenfeld had stated that he could not recall having had any transaction with Mrs. Chapman.

The witness also stated that in his participation in the merger suits, he approached E. R. Thomas, of Thomas & Post, concerning the institution of suits. Mr. Thomas would not participate if it was to take on the nature of a "strike," the witness said.

"But," he added, "when I told him Gov. Van Sant was interested, Mr. Thomas acquiesced and agreed to become a party, and qualified Mr. Bouden to act as a plaintiff for him. Mr. Bouden is employed in the office of Mr. Thomas."

"It was Judge Lancaster who suggested that Thomas begin suit," the witness added.

"Are you not sure you are not responsible to Mr. Content, or the real owner of the stock standing in the name of Mrs. Chapman?" asked Mr. Guthrie. "Quite certain," the witness answered. "Was that stock transferred to Mrs. Chapman to qualify her as a plaintiff?"

"Perhaps."

"You purchased that stock from Daniel O'Dell & Co., did you not?"

"What stock?"

"The 20 shares for Mrs. Chapman."

"I can't say now. I will supply that information."

"Have you a clerk named McDevore?"

"No."

"So far as you are concerned have you any objection to Content & Co. disclosing your account with them?"

"None whatever."

Bouden for a Syndicate.
"Who introduced Mr. or Mrs. Chapman to Mr. Lamb?"

"I may have introduced Mr. Chapman."

"Was it not on your account that Mr. Lamb was retained as counsel?"

"I think not."

"Is it not a fact that when the stock was first purchased it was by Thomas & Post?"

"When you took over the 200 shares was it charged to you?"

"I have an account with the house."

"Is it not a fact that you were engaged for several hours yesterday with Mr. Thomas and Mr. Post and Mr. Croker, and that you went over the books together?"

"It is not a fact that when the 400 shares were purchased for Clerk Bouden by Thomas & Post's office, that it was charged to a syndicate?"

"Oh, no. I know who you mean. There was a joint account between Mr. E. R. Thomas and myself and was known as the American Tobacco Syndicate."

"Who were the silent partners in that syndicate?"

"There were no silent partners."

"Will you give us the entries of that American Tobacco Syndicate, showing whatever relation that account has to the purchase of Northern Pacific stock in November 1901, or Great Northern Railroad stocks?"

"Oh, I must consult with Mr. Thomas first."

"Have you any objection to Thomas & Post, your brokers, revealing your accounts with them?"

"None at present—but I must consult with my lawyer."

"Mr. Guthrie compelled the witness to relate his talk with Mr. Thomas on the subject of the then proposed litigation."

"Was financial gain discussed?" the lawyer asked.

"No, not at all."

"Was expense discussed?"

"On certainly."

Definition of "Strike."
"What is your definition of a 'strike'?"

"Compromise or settlement."

"Is it not your duty as a witness to tell the truth?"

"He didn't send word to that effect."

"Did you take steps to satisfy Judge Lancaster that the other Western lawyers that this suit was not a strike?"

"No, only I sent Capt. Stern."

"Did you get it fast the express purpose of convincing those lawyers that the suit was not a strike that you sent Capt. Stern to Chicago with the certificate of stock?"

"No, not for that purpose."

"Did Mr. Bouden tell you that he was the plaintiff by transferring his stock to him?"

"Isn't a fact that Bouden never paid a penny for his stock?"

"Mr. Weldenfeld, why did you not personally sue in these matters rather than let the other lawyers do it?"

"My stock was sent out for intervention. It was known the stock was mine."

"But that reason did not apply when you went to Mr. Thomas and sought his aid."

"The witness did not answer. He was losing his usually calm demeanor, under the relentless crossfire of questions. The stenographer read the question. Mr. Weldenfeld did not answer. Pressed, he said:

"I really cannot answer that question."

Peter Power's Expenses.
The witness said that neither Mr. Thomas, Mr. Bouden nor Capt. Stern was to be a percentage.

"What do you know about the agreement to pay Peter Power \$15 a week for the use of his name?"

"I don't know of it."

"Did you ever furnish the money to Mr. Lamb to pay Mr. Power's expenses?"

"Not that I am aware of."

"Did the trying examination of the banker."

Tobacco Not in It.
Lawyer Lamb, cross-examining Mr. Weldenfeld, asked:

"Did you know how many conferences Capt. Stern, yourself and myself and Harry Content had at the latter's office?"

"I have no idea."

"Is it not a fact that for a period from Dec. 17, 1901, the conferences were not merely daily but hourly?"

"Oh, no; not so important as that."

"Is it not a fact that every time I made to the West was made by an immediate report to you?"

"Wouldn't it be natural that you, furnishing the funds, I should report to you?"

"I have no memory of such matters."

"When Content & Co. called you up on the phone and asked you and Mr. Chapman after he had requested the loan of \$10,000, what did you tell him?"

"I told them I had known him for years and always found him a man of integrity."

The witness stated that he never agreed with Content & Company that Mrs. Chapman was finally to become known as a stockholder.

"What about the Universal Tobacco



Mr. Benedict Identifying Telegrams Sent to Peter Power.

Mr. Mable, Examiner.

Company syndicate, who composed that syndicate?

"That question has nothing to do here. The question is pertinent. I decline to answer."

"Do you know Mr. Butler, President of the Universal Tobacco Company syndicate?"

"No."

"What connection has that syndicate with the American Tobacco Company syndicate?"

"Before the witness could answer, his attorney, Lawyer Cleveland, exclaimed: 'I object. My client not to answer that question.'"

"I shall insist that you not interrupt these proceedings," said Mr. Lamb, addressing Lawyer Cleveland. "Your client is quite able to take care of himself."

Mr. Cleveland subsided.

As to Croker.
"Did Mr. Croker have any interest in the joint syndicate account between Mr. Thomas and yourself?"

"Has Mr. Butler?"

"He has not."

"But you were in frequent consultation with Mr. Croker in Mr. Thomas's office?"

"Not frequently."

"Were these consultations on the subject of N. P. or American Tobacco?"

"Mr. Croker never knew anything about N. P."

"I saw it stated."

"Did you read the letters from Judge Lancaster relating to the Power suit?"

"I may have received them."

"Are there no letters in your possession from the Western attorneys concerning the Power suit?"

"There may be."

"Yes, we were. Mr. Kellogg, asked questions of the witness concerning the Maryland Security Company, which gave a bond for \$20,000 for Peter Power as a plaintiff in the present litigation."

Mr. Weldenfeld said he had no knowledge of such bonding, isn't it a fact that you are the one who produced security when it became necessary to secure that bond?" asked Mr. Lamb.

"No, you are mistaken."

Gift to Bouden.
Milton N. Bouden, of the office of E. R. Thomas, testified that he received \$50,000 worth of stock which Mr. Thomas gave him in January last. It was a gift. "Have you paid one dollar for that stock?"

"What did Mr. Thomas say when he gave it to you?"

"He said, 'Bouden, there is so much stock here and it belongs to you.'"

"Have you ever had it in your possession?"

"Yes, sir. I have 200 shares now here. The subpoena calls for them."

"Did you make any entry of this gift to you by Mr. Thomas?"

"Was there any entry showing the transfer of this stock from Thomas to you?"

"Will you reiterate under oath that you own 200 shares?"

"No, 200."

A Personal Matter.
"Have you disposed of any?"

"Yes, I disposed of 200 shares."

"Mr. Thomas said he sold it to Mr. Weldenfeld."

"Credit it to my account."

"Have you an account there?"

"No, sir."

"Mr. Bouden, do you know what percentage?"

"What credit, what account do you have?"

"Oh, that is personal between Mr. Thomas and myself, the witness answered calmly."

Showed the Stock.
The witness produced two crisp certificates of N. P. stock and handed them to Mr. Lamb. They are dated Jan. 14, 1902, No. 21,125 and Jan. 15, 1902, No. 21,126. Both are for 100 shares of N. P. stock, similarly issued to Mr. Bouden.

"Do you state under oath that you believe you own this stock?"

"Yes."

"Who collected the dividends?"

"Thomas & Post."

"Did they give you the money?"

"No; credited it to my account."

"Is there any personal account that you know of?"

"Only what he says, sir."

"Did you mention this gift to Mr. Post?"

"I did not."

"Were the books of Thomas & Post taken into the conference with Mr. Croker, Mr. Chandler, Mr. Thomas and yourself which took place yesterday?"

"I don't know, sir."

"There was such a conference?"

"What took place there?"

"I decline to state."

"That ended the cross-examination of the witness before bringing suits against corporations?"

"I can't answer that, sir."

Got Many Gifts.
"Ever get \$50,000 as a gift in a lump before?"

"No, I have received many gifts."

"Have you had any correspondence with any one concerning the Northern Pacific suit?"

"Oh, yes, sir."

"Who suggested Mr. Lamb to you in January?"

"Nobody."

"Is he your attorney? How came you to retain him?"

"I can't answer that."

"When did you first hear you had been made a plaintiff in the suit against the Great Northern Company?"

"I can't say."

"How did you know you were to be a plaintiff?"

"When Mr. Thomas told me in January that he had been made a plaintiff."

"Had the Great Northern ever done you a wrong?"

"I can't answer that, sir."

His Letters to Lamb.
The witness, who is a young man with smiling features and as cool as ice in July, said that he had never seen a copy

of the complaint or contributed anything to the expenses of the suit.

The witness produced the letter book of the concern showing his correspondence with George A. Lamb. On Aug. 1, the witness addressed a communication to Mr. Lamb requesting him to withdraw from the suit.

He got a bill for \$2,000 from Lamb in return for services.

"What did you do with the bill?"

"I sent it to Mr. Weldenfeld."

Thomas Admits It.
Croker, Thomas, called to the stand, said he resided at Ardsley-on-the-Hudson and was twenty-nine years old. He is a graduate of Yale and a broker by occupation.

He met Mr. Weldenfeld in January of this year. Mr. Weldenfeld told him that suits were being brought to test the validity of the action of the Northern Securities merger, and this action was endorsed by Gov. Van Sant. He said the suits were for a principle, and not money interest.

"I expressed my willingness to go ahead in a certain way," continued the witness, "and shortly after I gave Mr. Bouden my 50 shares of stock. I said, 'Here, Bouden, this stock is yours; you can have it any time you want it.' He is a man I could trust, and I selected him to bring suit because I did not want my name mixed up in it."

"Mr. Croker never knew anything about N. P."

"I saw it stated."

"Did you read the letters from Judge Lancaster relating to the Power suit?"

"I may have received them."

"Are there no letters in your possession from the Western attorneys concerning the Power suit?"

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"No, you are mistaken."

New to Post.
"Weren't you the real owner of that stock?"

"I was not."

"How came it that 200 shares of Bouden's stock were injected into the joint account of yourself and Weldenfeld in the American Tobacco syndicate?"

"All 400 shares were charged to joint account."

"Were you not commanded by subpoena to produce your books here?"

"Yes, but I also refused to allow the books of Thomas & Post to be brought here."

Edward Main Post, until recently the partner of Mr. Thomas, was the next witness. Mr. Post, who is quite as young as Mr. Thomas, said he never before heard that Mr. Thomas, who is a son of Gen. Sam Thomas, had made a gift of \$50,000 to Bouden.

The first witness learned of the fact that Thomas & Post had entered into the merger suits when he saw it announced in the newspapers. He asked Mr. Thomas about it, and requested him to go to the office of J. P. Morgan and declare that the firm of Thomas & Post had nothing whatever to do with the litigation. Mr. Thomas did so.

Mr. Post was asked about the 400 shares of Great Northern stock, and said that he, being the Board member, did purchase several hundred shares of Great Northern stock, but the order came from the office while he was on the floor.

The firm itself never speculated in securities, so that the order to buy did not mean that the house was the buyer.

Mr. Post could not say whether the 400 shares were owned by a customer or a member of the firm. He was quite confident that the stock was not owned by the firm.

Mr. Post declared that he had no knowledge that 400 shares of stock were kept in the safe at the office instead of in the vault where they were regularly kept.

"Had I known those securities were kept in the office safe," he said, "I would have been greatly displeased."

Peter Power Sure This Time.
Lawyer Lamb promised late this afternoon that he will produce Peter Power in New York by Tuesday morning. "If not on Tuesday," added Mr. Lamb, "I shall positively produce him early Wednesday morning. That is final."

Adjustment of the suit was then until Tuesday conditional upon Mr. Lamb's promise.

Ask the waiter for Grape-Nuts at breakfast. The Hotel will serve it.

\$142,500.00

WILL BE GIVEN AWAY IN JAN. 1903

TO SMOKERS OF THE

BEST AND LARGEST SELLING BRANDS OF CIGARS IN THE WORLD!

HOW MANY CIGARS will the United States